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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff,	Magistrate Case No. '08 MJ 1814
v.	COMPLAINT FOR VIOLATION OF:
Antonio SIFUENTES-Aguilar AKA: CIFUENTES, Antonio Defendant.	Title 8, U.S.C., Section 1326; Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about **March 7, 2008,** within the Southern District of California, defendant, **SIFUENTES-Aguilar, Antonio** (aka: CIFUENTES, Antonio), an alien, who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Immigration Enforcement Officer
U.S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **11th** DAY OF **June 2008.**

UNITED STATES MAGISTRATE JUDGE

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PROBABLE CAUSE STATEMENT

On March 7, 2008, the defendant identified as, **SIFUENTES-Aguilar, Antonio (aka: CIFUENTES, Antonio),** was apprehended by Officers of the San Diego Police Department, placed under arrest for violation of California Vehicle Codes and booked into San Diego county ail. While in the custody of county jail, an Immigration Agent determined the defendant to be a citizen of Mexico and placed an Immigration Hold (I-247) pending his release from custody.

On June 10, 2008 the defendant was referred to the custody of the United States Immigration and Customs Enforcement (ICE), Field Office in San Diego, California. An Immigration Officer conducted computer database record checks and reviewed various sources of information confirming the defendant to be a citizen of Mexico having been deported or removed form the United States on at least one occasion.

A thorough review of official immigration computer database record checks and information contained in the Alien Registration file revealed that the defendant **SIFUENTES-Aguilar, Antonio (aka: CIFUENTES, Antonio)**, had been ordered removed from the United States by an Immigration Judge on or about March 30, 2001, and removed to Mexico, via the Calexico, California, Port of Entry on March 30, 2001. Record checks further indicate that the defendant has not applied to the Attorney General of the United States or the Secretary of the Department of Homeland Security for permission to re-enter the United States.

The Automated Biometric Fingerprint Identification System (IDENT) and Automated Fingerprint Identification System (IAFIS) were utilized and compared the defendant's fingerprints to those contained in these databases. The results confirmed the defendant's identity as, **SIFUENTES-Aguilar, Antonio (aka: CIFUENTES, Antonio)**, a citizen and national of Mexico.